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10  
11 **UNITED STATES DISTRICT COURT**  
12 **DISTRICT OF NEVADA**  
13

14 Caprice D. Miles,

15 Plaintiff,

16 v.

17 Acima Digital, LLC, Clarity Services,  
18 Inc., Backgroundchecks.com LLC and  
19 Experian Information Solutions, Inc.,

20 Defendants.

Case No.: 2:22-cv-01259-RFB-DJA

**Motion to extend deadline to file the  
proposed discovery plan and  
scheduling order**

**(First request)**

21 Caprice D. Miles (“Plaintiff”) hereby requests that this Court extend the  
22 deadline for Plaintiff and Backgroundchecks.com LLC (“Defendant”) (jointly as the  
23 “parties”) to file their proposed discovery plan and scheduling order (the  
24 “Deadline”) to **December 22, 2022**. Plaintiff submits this motion out of an  
25 abundance of caution to clarify any confusion regarding the deadline to submit the  
26 proposed discovery plan. This is the first request for an extension of this deadline.

27 Good cause exists to extend the Deadline. On September 19, 2022, the first  
defendant, Acima Digital, LLC, filed its answer. *See* ECF No. 12. Therefore, the  
discovery plan was due November 3, 2022. However, on September 20, 2022,

1 Plaintiff and Acima Digital, LLC filed a stipulation to stay Plaintiff's claims against  
 2 Acima Digital, LLC, and proceed with those claims in arbitration. *See* ECF No. 13.  
 3 This Court has not yet ruled on the stipulation.

4 Since the claims against Acima Digital, LLC will proceed in private  
 5 arbitration, the only defendant that will proceed in this case, Backgroundchecks.com  
 6 LLC, has not yet filed its answer.

7 On November 3, 2022, this Court granted the parties third stipulation to extend  
 8 the deadline for Defendant to respond to the complaint until on or before December  
 9 2, 2022. *See* ECF No. 18.

10 Therefore, Plaintiff requests additional time to allow the parties to meet and  
 11 confer in compliance with Local Rule 26-1(b) and submit their proposed discovery  
 12 plan. Accordingly, Plaintiff requests that this Court extend the Deadline to 20 days  
 13 after Defendant's answer is due, December 2, 2022, making the new deadline for the  
 14 parties to submit their proposed discovery plan and scheduling order to **December**  
 15 **22, 2022.**

16 Dated: November 3, 2022.

17 **KIND LAW**

18 /s/ Michael Kind  
 19 Michael Kind, Esq.  
 20 8860 South Maryland Parkway, Suite 106  
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 22 *Counsel for Plaintiff*

23 IT IS SO ORDERED:

24   
 25 \_\_\_\_\_  
 26 UNITED STATES MAGISTRATE JUDGE

27 DATED: November 7, 2022